at Karlsruhe, not only despatched a letter direct to Paris declaring that the duke's conduct had always been "innocent and moderate," but went in person to notify the prefect at Strasburg that there was neither an assembly of emigrants nor a conspiracy at Ettenheim. Talleyrand was afterward charged by Napoleon with having suppressed Massias's despatch; and it is not known whether the prefect sent a report to the same effect or not.
On the twelfth, the First Consul had withdrawn to the seclusion of Malmaison. It was evident that under the surface there were tumultuous feelings, but in his expression there was an icy calm. At times he recited scraps of verse on the theme of clemency, but his chief occupation was consulting with the police agent R6al and with Savary, his aide-de-camp. It was arranged that the castle of Vincennes should be the prison, that the court should be military, composed of colonels from the Paris garrison, and that the main charge against the duke should be that he had borne arms against his country. He was to be asked whether the plot for assassination was known to him, and if, in case it had succeeded, he were not himself to have entered Alsace.
The court-martial was modeled on those pitiless tribunals created by the Revolution. The statute declaring that any Frenchman taking up arms against his country was a traitor and worthy of death had never been repealed. The Consulate restored the activity of these military commissions in order to tame refractory conscripts and condignly to punish tamperers, con-spifators, and spies. These courts had been accustomed to take their cue as to severity or leniency from the government for the time being, whatever it was. There was therefore but little difficulty in constituting such a body expressly for the punishment of any offender.